



Agenda Item Number: 2005-8-6F

BERNALILLO COUNTY

BOARD OF COUNTY COMMISSIONERS

Meeting Date: August 9, 2005

Department: Infrastructure/Planning **Staff Contact:** Tim West, Deputy County Manager for Public Works
Geo Resources Stephen R. Miller, Department Director
Raymond G. Orona, Right of Way Manager

TITLE: Sale of Excess Land at the SW Corner of Isleta Boulevard and Lopez Road
SW

ACTION: Motion to approve:

1. The Sale of Excess Land by Quitclaim Deed to Peanut Butter & Jelly Preschool Inc, Property Corp.(PB&J), successors and assigns, pursuant to State Statutes 42-2-23, 13-6-2 and 13-6-2.1.
2. Financial Resolution **FR** **-2005** to increase the budget to provide for expenditures related to matching funds for future federally funded projects.

SUMMARY:

This agenda item proposes that the Board take two actions; the first will sell and convey 5,259 square feet or 0.12073 acres of excess land, a remnant parcel from Isleta Boulevard Reconstruction Project Phase I, to PB&J. The second action will accept the proceeds of sale and increase the budget for other federally funded projects.

This property (10,808 SF) was purchased for the Isleta Boulevard Phase I Project on December of 2001 at \$4.25 SF for a total of \$22,350.75. Upon completion of Isleta Boulevard Phase I, the County determined that excess land was in fact purchased at this location, which is now available for sale. The County has negotiated with PB&J, to sell this remnant pursuant to SS 42-2-23, 13-6-2 and 13-6-2.1.

The County has appraised the remnant at \$13,700 and offered it to the purchaser at the appraised value. An agreement was reached at a negotiated price of \$2.09 SF or \$11,000 resulting in a reduction of \$2,700 of the appraised value due to a block wall encroachment along the southern boundary which reduces the total land size. The purchaser will assume the responsibility of correcting this encroachment with the adjacent property owner. This purchaser is the best buyer for this parcel because the parcel is marginal for development on its own and best suited for assemblage with the purchaser's adjacent land. New Mexico Department of Finance/Local Governments Division approval is required and will follow County Board approval.

This parcel of land is a remnant of two former lots and sold as is with no warranties of estate or access. This sale does not constitute either a land division or subdivision. The buyer intends to assemble these parcels and replat accordingly. There are no adverse impacts to any public agency. This land will be returned to the private sector increasing the tax base and make funds available to Bernalillo County for other Federal Project and/or needs. The sale price detail is the following:

For land remnant from Parcel 3-4

Land 5,259 SF x \$2.09 SF = \$10,991.31 = **\$11,000**

Total Sales Price Due Bernalillo County **\$11,000**

ATTACHMENTS:

1. Zone Atlas Page
2. Public Works Determination & Justification of Sale
3. Purchaser's offer letter
4. Sale Contract
5. Quitclaim Deed with Exhibit A (pages 1 and 2)
6. State Statute 42-2-23
7. State Statute 13-6-2
8. State Statute 13-6-2.1
9. Financial Resolution **FR -2005**
- 10 Real Estate Committee Approval
11. DFA Local Government Approval

FISCAL IMPACT

Federal Project Funds BC12-566463-7999 \$11,000

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

PB&J is a non-profit organization providing quality service to Bernalillo County residents. Both parties agree with this transaction and sale price. I recommend Board approval. TL 7/26/05

DEPUTY COUNTY MANAGER FOR PUBLIC WORKS

The excess right-of-way is no longer needed and may be sold. Negotiations with PB&J has been successful and offer has been made in amount that requires Local Governments Division approval if sale is approved by the Board. I recommend approval. TW 7/20/05

LEGAL

Proper procedures were followed. Contract executed and approved by County Attorney. Approved as to form only. Deborah S. Seligman, Legal 7/14/05

FINANCE

Budget

Revenue from the sale of this property is earmarked for the use as matching funds for federally funded projects. If the Board approves the financial resolution, funds will be available for this purpose as soon as the proceeds are received and deposited. Priscilla L. Gutierrez, Budget Analyst Sr. 7/7/2005

Purchasing	Proper purchasing procedures were followed in the approval of the contract between the County and Peanut Butter & Jelly Preschool Inc., Property Corp. R. Suazo, Purchasing Administrator 7/7/05
Contracts	Contract Control Number 2005-0324 was issued for the contract between the County and Peanut Butter & Jelly Preschool Inc., Property Corp. for the sale of excess Land at the SW Corner of Isleta Boulevard and Lopez Road SW. R. Suazo, Purchasing Administrator 7/7/05
Risk Management	No Comment required. David Baca, Risk Management 7/7/05